

—THE—
Lexington Intelligencer

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Issued weekly on Fridays. Subscription \$1.00 per year, payable strictly in advance.

Entered as second-class mail matter at the Postoffice in Lexington, Missouri.

All communications to go into print in THE INTELLIGENCER must be signed.

If you have been using your hammer during the past year, Mr. Democrat, please lay it aside now and get a Democratic boosting machine and go to working it overtime. They may be a time to kick and a time to knock, but it's not during a campaign year in Missouri. Forget your grouch and get into the Wilson band wagon.

**COURT STOPS TRADE
IN SPURIOUS CURES**

Supreme Tribunal Upholds Federal Act Restraining Such Interstate Commerce.

Washington, Jan. 10.—The Supreme Court handed down a unanimous decision today giving vitality to the food and drugs act. The opinion upholds the validity of the Sherley amendment passed in August, 1912.

The legislation followed a decision of the court in the "Dr. Johnson cancer cure case," in which the Government lost its suit. In that case Justice Day construed the food and drugs act as being applicable only to misstatements as to the ingredients in a "cure" or medicine.

Allegations or misstatements as to the therapeutic or curative properties of the mixture were then held to be not "false or fraudulent" representations within the meaning of the food and drugs act such as would warrant a libel.

Congress thereupon passed the Sherley amendment intended to remedy this defect. The case before the court today was the first that has come to the Supreme Court under the Sherley amendment and involved the validity of that enactment which the court upheld. The Sherley amendment says a shipment shall be held to be misbranded within the meaning of the act:

If its package or label shall bear or contain any statement, design or device regarding the curative or therapeutic effect of such article or any ingredients or substances contained therein which is false and fraudulent.

The libel which precipitated the present case arose in December, 1912, when the Eckman Manufacturing Company of Chicago shipped to Omaha, Neb., certain packages of bottles of

"Eckman's Alternative." The bottles were accompanied by a circular which described the remedy as follows:

"Effective as a preventative for pneumonia." Also "We know that it has cured and will cure tuberculosis."

The government alleged that these representations in the circulars were in violation of the statute, for they made unjustifiable claims for the mixture.

In dismissing the contention made on behalf of the Eckman Manufacturing Company that the Sherley amendment was an invasion of the police powers of the States and not within the powers conferred on the Federal Government under the "commerce clause" of the Constitution Justice Hughes, who read the decision, held that the regulatory power of Congress in this matter was the same as that upheld in the "white slave" cases and in the lottery cases.

Investigation of Regulation.

The proposal of President Wilson to appoint a federal commission for a thorough investigation of the whole subject of railroad regulation is one of the most important recommendations that has been made to Congress in many years.

There can be no question of the fundamental necessity for government regulation of railways. There is grave question of the success of present regulation. It has wrought serious and substantial damage to the carriers of the country and has served no practical purpose of the shippers or been of any substantial benefit to the public.

It is significant of the political career of Robert M. LaFollette that, without exception, every reform he has accomplished has been a failure, and every principal statute he has supported has been of substantial damage without material benefit. It was his agitation of the railroad question started in a fit of personal anger because the Burlington railroad would not appoint an attorney he wanted the job for and in violation of a solemn promise that he would let railroad rate agitation alone, made in return for the very liberal contributions of cash to his campaign fund by the Wisconsin railways, that the whole mess was started. There would have been railway regulation without LaFollette, but in the absence of the kind of a campaign inaugurated by him, we would probably have had different legislation.

It is no criticism of the Interstate Commerce Commission to say that viewed from any broad standpoint its work has been a failure. It is not enough to say that it has accomplished an enormous amount of good

which probably could have been accomplished in no other way. No condemnation of the result of Federal regulation can possibly extend to the Commissioners as individuals, nor to the Commission as a body. The difficulty is inherent in the principle upon which the law itself rests; the theory that the government may successfully manage one side of the railroad ledger and leave the other side to the railways.

There are a great many people who regard Federal commissions for investigation with suspicion. I am not one of those who condemn even the work of the late Walsh commission. I do not think we got out of that commission very much light on industrial relations, but I think it will stand for all time as a conviction of labor agitators upon the general charge that they are inimical to both industry and government. In no other way could the real attitude of labor agitators ever have been put upon the permanent record as clearly as it was by the labor representatives upon that commission. So that even were such a commission as the President proposes, made up wholly of such men as Clifford Thorne, Lewis D. Brandeis, George S. Loftus and men of that stripe, it would still be serviceable to the people of the country in affording an opportunity to place on record in permanent form the evils of agitation which are at the root of the whole difficulty with transportation in this country. Indeed, a commission which did not include these men would be incomplete.

In matters of such controversy as this the experience of the Walsh commission has shown the utter futility of attempting to secure results from a commission presumptively representing opposing interests. The transportation question is large enough and important enough for the government to spend whatever money may be necessary to conduct a full and complete investigation. The question is so broad and its ramifications are so wide that it will require a liberal expenditure of money and a considerable expenditure of time to produce an adequate result. Such a commission should be composed of entirely independent and autonomous sections, between which no coordination of any sort should be attempted.

There is a gang of political highwaymen and economic bandits who have been standing in the pathway of prosperity and levying toll upon the life-blood of American railways and American commerce for their own personal and political aggrandizement. These men are typified in a general way by those I have named above. They should be permitted to get together and select from their own number, if they could so far agree as to do that, three commissioners into whose willing ears they might pour their accumulated tales of woe, and who should be empowered through subpoena to compel the attendance of any one they care to amuse themselves with by such witness-stand heckling as this particular brand of reformer delights in.

The railways should have a similar section with their own commissioners, before whom they might secure their own sympathetic hearing and who under subpoena should have power to grill the agitators. There should be another similar section representing labor, and another section representing capital, and while perhaps of no great importance, just by way of making the investigation look complete, the shippers might be permitted a section.

In some such way as this each of the various interests should be permitted their own investigation. When by this process their various cases had been

made up, some guiding light upon all these questions might then be secured for congress if the various sections of this commission were required to present their cases for analysis and report to a body composed of members of the Senate and House sitting with, say, three or five Federal Judges or other persons outside of Congress, experienced in listening to and determining matters presented in the form of evidence and argument.

If however there is any such attempt as was made in the case of the Walsh commission to constitute a single body representative of conflicting interests, the result will probably be as inconclusive and valueless as was the wasted work of Mr. Walsh and his fellow-members. The proposal to investigate is a good one, provided the investigation is a good one.—The Searchlight.

**WELL KNOWN WOMAN
GREATLY SUFFERED**

Had Lost Confidence in Every Thing Claims Master Tanlac Restored Her Health.

The best evidence in the world that a medicine is all that is claimed for it is the statements of people who have actually tested it and have been benefitted by it. Miss Dora Hughes, residing at 1630 Arkansas Avenue, Wichita, Kansas, has just made this interesting statement about Tanlac, and the relief she obtained from taking the magic remedy.

"I was all rundown, which was brought about by a severe case of stomach trouble and indigestion. My condition was daily growing worse. I did not have any desire for food, and what I did eat caused me to have pain in my stomach after eating, and I felt miserably nearly the whole day through.

I heard about Tanlac through a friend that had been benefitted by the medicine. I purchased a bottle, feeling as I have many times before, that nothing would give me any relief. I was agreeably surprised in Tanlac, as it seemed to help me right from the start. I have taken one bottle of Tanlac, and can see a big change in my condition, the pains do not bother me after eating any more. My appetite is fine, and I feel improved in every way."

Tanlac is beginning to be a household name in the homes of hundreds of people in Lexington. people in every station of life are taking the master medicine, and daily men and women are volunteering testimony that they have been relieved from stomach, kidney and catarrhal troubles.

Tanlac can be secured in Lexington at the Crenshaw and Young's Drug Store for \$1.00 a bottle, three for \$2.75 or six bottles for \$5.00.

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been a prosperous year for these companies.

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